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R. v. P.A., [2003] 1 S.C.R. 275, 2003 SCC 21

**P.A.**

*Appellant*

v.

**Her Majesty The Queen**

*Respondent*

**Indexed as: R. v. P.A.**

**Neutral citation: 2003 SCC 21.**

File No.: 29309.

2003: April 14.

Present: Gonthier, Iacobucci, Major, Bastarache, Binnie, Arbour and Deschamps JJ.

on appeal from the court of appeal for ontario

*Constitutional law — Charter of Rights — Trial within reasonable time — Accused charged with aggravated assault and failure to provide necessities of life to her 3-month-old child — Delay of 21 months between accused's arrest and trial date — Trial judge erring in granting stay of proceedings — Delay not infringing accused's right to be tried within reasonable time.*

APPEAL from a judgment of the Ontario Court of Appeal (2002), 161 O.A.C. 128, 95 C.R.R. (2d) 366 (*sub nom. R. v. A. (P.)*), [2002] O.J. No. 2490 (QL), allowing the Crown's appeal and setting aside an order granting the accused a stay of proceedings. Appeal dismissed.

*Todd Ducharme and Joseph Di Luca, for the appellant.*

*Joan Barrett, for the respondent.*

The judgment of the Court was delivered orally by

1 GONTHIER J. — This is an appeal as of right. We are all in agreement that we see no reason to interfere with the decision of the majority of the Court of Appeal. The appeal is dismissed.

*Judgment accordingly.*

*Solicitors for the appellant: Todd Ducharme and Joseph Di Luca, Toronto.*

*Solicitor for the respondent: Ministry of the Attorney General, Toronto.*